



PATENT  
Customer No. 22,852  
Attorney Docket No. 06530.0286

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Jonathan STINSON ) Group Art Unit: 3738  
)  
Application No.: 09/972,054 ) Examiner: not yet assigned  
)  
Filed: October 9, 2001 )  
)  
For: A MEDICAL STENT WITH A )  
VALVE AND RELATED METHODS )  
OF MANUFACTURING )

**RECEIVED**  
FEB 21 2003

Commissioner for Patents and Trademarks  
Washington, DC 20231

TECHNOLOGY CENTER R3700

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)/(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

However, in case the Patent Office issues the first Office Action on the merits before this Information Disclosure Statement is filed, Applicant respectfully submits that this Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e). Each document listed in this Information Disclosure Statement was

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first cited in a communication from the European Patent Office in a counterpart international PCT application, and this Information Disclosure Statement is being filed within three months of the mailing date (i.e., January 22, 2003) of that communication.

Copies of the listed documents are attached.

In lieu of a statement of relevance or translation of the non-English document, (i.e., French Patent Application Publication No. 2 788 217) an English language version of the International Search Report from the European Patent Office in a corresponding PCT application citing this document and setting forth the relevance thereof is enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

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Respectfully submitted,

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Dated: February 12, 2003

By: \_\_\_\_\_

  
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